

**REMARKS**

**Status of the Claims**

Claims 1 and 4-20 are pending in this application. Claims 2 and 3 have been canceled. No claims have been added. Claim 1 has been amended to incorporate the subject matter of claims 2 and 3. Claim 10 has been amended to insert antecedent basis before the phrase "main blocks". The Examiner indicates that claims 6, 10 and 17 would be allowable if rewritten in independent format.

**Claim Objection**

The Examiner objects to claim 10 for the phrase "main blocks". Applicants amend claim 10 to insert "the" before "main blocks" as suggested by the Examiner. As such, this objection should be withdrawn.

**Rejections under 35 USC 102(b)**

The Examiner rejects claims 1, 3, 4, 9, 11-13 and 18 as anticipated by JP 06255316 A (JP '316). Applicants traverse the rejection and respectfully request the withdrawal thereof.

The present invention as defined by claim 1 is directed to an ATV radial tire having a block pattern which comprises a plurality

of blocks disposed on a tread surface at distances from one another, wherein said blocks include chamfered blocks, said chamfered blocks including a notch which comprises an inclined surface obtained by chamfering a corner between an upper surface of the block and a wall surface of the block on an outer side edge of the block which is directed outward of a vehicle when the tire is mounted on the vehicle, and wherein an angle  $\theta$  of said inclined surface of said notch is 30 to 60° with respect to the upper surface of the chamfered blocks, and a height  $h$  of said notch in its radial direction is 25 to 50% of a height  $H$  of the block of said chamfered block.

On the other hand, JP '316 is directed to a tire for a passenger car. The tires disclosed in JP '316 are sport-type, super-flat tires to which a large lateral force is applied, where the aspect ratio is not more than 60% or less. Please see paragraph [0007].

Applicants also submit that although JP '316 discloses a height ( $h$ ) of the notch being 10-50% of the height ( $h$ ) of the block, JP '316 also discloses in paragraph [0010] that "when a vehicle is cornering and the tire blocks are directed inward of the vehicle due to a large lateral force, the notched surface of the

tire blocks contact to the ground. Thus, the maximum value of a cornering force can be increased and the steering stability on a dry road surface and a wet road surface can be improved." This passage implies that the tire in JP '316 requires the notched surface grounding at the time of cornering and the inclination angle  $\theta$  of the notched surface to be actually very small.

For example, please see paragraph [0016] of JP '316 which discloses that in notch 15a:  $h = 0.15 \times 6 = 0.9$  mm;  $w = 0.7 \times 35 = 24.5$  mm,  $\theta = \tan^{-1}(0.9/24.5) = 2.10$  degrees; in notch 15b:  $h = 0.25 \times 8 = 2.0$  mm;  $w = 0.8 \times 40 = 32.0$  mm,  $\theta = \tan^{-1}(2/32) = 3.58$  degrees; and in notch 15c:  $h = 0.10 \times 8 = 0.8$  mm;  $w = 0.65 \times 35 = 22.75$  mm,  $\theta = \tan^{-1}(0.8/22.75) = 2.01$  degrees.

Yet in the tire of the present invention, the inclination angle  $\theta$  of a notched surface is 30-60 degrees and it does not contact the ground. Please see Figure 5. With the notch provided, the tire tends to sideslip when cornering. As a result, cornering performance in an ATV without having a differential apparatus can be improved. As such, Applicants submit that the function of the notch and the inclination angle  $\theta$  are different. Clearly, the tire in JP '316 is completely different from the tire of the present invention.

Moreover, Applicants respectfully disagree with the Examiner's description of the chamfer block in JP '316 being occupied by 50 to 100% of the total number of blocks. Applicants submit that chamfering is performed to the block edge of the inner side of the vehicle, if the block is allotted on the right of the tire equator as shown in Figures 1, 2, 4 and 5 of JP '316. In the blocks shown in Figs. 1 and 2 in JP '316, the share of chamfer block is 25%. Also, the share is 40% in the blocks shown in Figs. 4 and 5. As such, Applicants submit that JP '316 fails to disclose the chamfered blocks of the present invention as recited in claim 4.

Applicants also respectfully disagree with the Examiner's description of the chamfer block in JP '316 where the ratio of the length of the chamfered blocks in the axial direction to the length of the chamfered blocks in the circumferential direction is in the range of 2.0 to 4.0.

Instead, Applicants submit that the blocks for the tire in JP '316 are long-wise blocks with a high circumferential rigidity, which is consistent with a tire for a passenger car. Therefore, the length of the chamfered blocks in the axial direction is shorter than the length of the chamfered blocks in the

circumferential direction. This is completely different from the blocks set forth in claim 5, where the blocks are long sideways.

For the foregoing reasons, Applicants submit that the present invention as recited in claims 1, 3, 4, 9, 11-13 and 18 is not anticipated by JP '316. Thus, this rejection should be withdrawn.

**Rejections under 35 USC 103(a)**

The Examiner rejects claims 2, 7, 8 and 16 as obvious over JP '316. Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants rely on the above arguments regarding the deficiencies in JP '316 to overcome this rejection. Since JP '316 fails to disclose or suggest all of the elements of claim 1 and claims 2, 7, 8 and 16 recite additional limitations to the invention of claim 1, then JP '316 also fails to disclose or suggest all of the limitations of claims 2, 7, 8 and 16. Thus, this rejection should be withdrawn as no *prima facie* case of obviousness has been established.

The Examiner also rejects claims 5, 14, 15, 19 and 20 as obvious over JP '316 in view of Caretta et al. USP 6,328,084

(Caretta '084). Applicants traverse the rejection and respectfully request the withdrawal thereof.

Applicants submit that no *prima facie* case of obviousness has been established because the combination of references fails to disclose or suggest each and every element of the claimed invention. Caretta '084 discloses a carcass structure of a tire where a belt structure (5) is applied to the carcass structure at a circumferentially outside position. The belt (5) comprises belt strips (6a), (6b) and (7). A tread band (8) is circumferentially superposed on the belt (5) and longitudinal and transverse cuts (8a) are formed in the tread band (8). See Figure 1 and the description thereof.

Applicants submit that Caretta '084 fails to disclose the missing elements not disclosed or suggested in JP '316. As such, the combination of Caretta '084 and JP '316 fails to disclose or suggest each and every element of the present invention. Thus, this rejection should be withdrawn for failure to establish a *prima facie* case of obviousness.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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